

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-mj-03275-REID

UNITED STATES OF AMERICA

v.

ERIK HERNAN ESPINOZA

FILED BY MP D.C.

Jun 28, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - Miami

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)? No.
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? No.
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No.
4. Did this matter involve the participation of or consultation now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No.

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: /s/ Ilana R. Malkin

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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

United States of America
v.

Erik Hernan Espinoza,

Defendant.

Case No. 24-mj-03275-REID

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2022 through June 27, 2024 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2251(a) and (e)
18 U.S.C. § 2422(b)

Attempted production of child pornography
Attempted coercion and enticement of a minor

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.



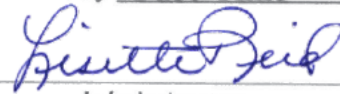
Complainant's signature

Michael Valle, Special Agent, HSI

Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Face Time

Date: June 28, 2024



Judge's signature

City and state: Miami, Florida

Honorable Lisette M. Reid, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael Valle, being duly sworn, hereby depose and state as follows:

AGENT BACKGROUND AND INTRODUCTION

1. I am a Special Agent with the United States Department of Homeland Security (“DHS”), Homeland Security Investigations (“HSI”), assigned to the Miami Office. I have been employed as an HSI Special Agent since November 2019. I am currently assigned to the Child Exploitation Investigations Group. My duties and responsibilities include investigating crimes involving the sexual exploitation of minors, such as offenses involving travel in foreign commerce to engage in sexually explicit conduct with minors, and offenses involving the production, possession, and transportation of child pornography. I have conducted and assisted in numerous child exploitation investigations.

2. During these investigations, I have reviewed still images and videos containing child pornography and images depicting minor children engaged in sexually explicit conduct on all forms of electronic media including computers, digital cameras, and wireless telephones, and have discussed and reviewed these materials with other law enforcement officers. I have received training in the area of child pornography and child exploitation, and, during the course of my duties, I have observed and reviewed examples of child pornography. I have also conducted child pornography and child exploitation investigations, which have involved reviewing examples in all forms of media including computer media and have discussed and reviewed these materials with other law enforcement officers.

3. I am a law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code. That is, I am an officer of the United States who is empowered by law to conduct investigations of, and make arrests for, violations of federal law,

including the offenses enumerated in Title 18, United States Code, Sections 2422, 2423, 2251, and 2252.

4. I submit this Affidavit for the limited purpose of establishing probable cause that Erik Hernan Espinoza (“ESPINOZA”) has violated Title 18, United States Code, Sections 2422(b) (attempted coercion and enticement of a minor) and 2251(a) and (e) (attempted production of visual depictions involving sexual exploitation of minors).

5. The statements contained in this Affidavit are based on my personal knowledge, as well as information provided by other individuals, including other law enforcement officials, and my review of records and other evidence obtained during the course of this investigation. I have not included each and every fact known to me and to other law enforcement officers involved in this investigation, but only the facts sufficient to establish probable cause.

FACTUAL BACKGROUND

Identification of ESPINOZA

6. On or about May 22, 2024, the grandmother of a 16-year-old female (“MINOR VICTIM 1”) contacted state law enforcement in Missouri regarding a male individual on Snapchat, Inc. (“Snapchat”)¹ who sent MINOR VICTIM 1 money in exchange for sexually explicit photos.

7. On or about May 29, 2024, law enforcement met with MINOR VICTIM 1 who stated that she met an individual who went by the name “Jaime” on Snapchat.

8. On or about May 3, 2024, MINOR VICTIM 1 received an \$18 payment from “Jaime” via Cash App. On or about May 7, 2024, MINOR VICTIM 1 received a \$20 payment

¹ Snapchat is a social media platform which allows users to send and receive “self-destructing” messages, pictures, and videos called “snaps”. The sender of a snap has the option of setting a timer for how long the snap can be viewed. Once a snap has been viewed, it is deleted from Snapchat’s system and is no longer visible to the recipient. Snapchat users can also send text messages to other users using the “chat” feature.

from “Jaime” via Cash App. MINOR VICTIM 1 told law enforcement she sent “Jaime” approximately ten nude photos of herself, which included her entire body and face, in exchange for the payments.

9. MINOR VICTIM 1 identified “Jaime’s” Snapchat username as “lacosita9221” and Cash App username as “\$bigbag1902.”

10. As part of the investigation, law enforcement obtained state search warrants for “\$bigbag1902” and “lacosita9221” on Cash App and Snapchat, respectively, as well as for content relating to MINOR VICTIM 1’s Snapchat account.²

11. Responsive records from Cash App identified a Miami-based phone number ending in 0343 (the “0343-Number”) as the phone number associated with the Cash App user account “\$bigbag1902.” Multiple law enforcement databases revealed that the 0343-Number belongs to Erik Hernan ESPINOZA.

12. Responsive records from Cash App also revealed a JP Morgan Chase Bank account associated with “\$bigbag1902.” A subsequent subpoena identified Erik Hernan ESPINOZA as the JP Morgan Chase Bank account owner.

13. Responsive records from Snapchat provided the Internet Protocol (“IP”) address from which the majority of “lacosita9221” messages and logins originated. Responsive records from Snapchat also revealed a previous username, “hispanic17383,” associated with the “lacosita9221” account.

² MINOR VICTIM 1 informed law enforcement that after she sent “Jaime” the nude photos of herself, she deleted the photos over Snapchat. As of yet, law enforcement has not located the Snapchat conversations between “Jaime” and MINOR VICTIM 1, during which MINOR VICTIM 1 sent “Jaime” sexually explicit images of herself at “Jaime’s” request.

14. After identifying AT&T as the service provider for the IP address, law enforcement issued a subpoena. AT&T provided responsive records showing the subscriber for the IP Address as “J.E.”, ESPINOZA’s father, with a service address of an apartment located on Northwest 186th Street, in Hialeah, Florida (the “Hialeah Residence”). Law enforcement determined that ESPINOZA also resides at the Hialeah Residence.

15. Law enforcement’s review of the search warrant returns for Snapchat also revealed chats between ESPINOZA and additional minor victims regarding the production of child sexual abuse material (“CSAM”) via Snapchat, including an individual who identified herself as a 15-year-old female (“MINOR VICTIM 2”).

16. For example, in one Snapchat conversation between ESPINOZA and MINOR VICTIM 2 that occurred on or about December 25, 2022, ESPINOZA asks MINOR VICTIM 2 how old she is. MINOR VICTIM 2 responds, “15 I’ll be 16 soon.”

17. In another message on or about December 27, 2022, MINOR VICTIM 2 again notes that she is 15 years old.

ESPINOZA’s Attempted Production of Visual Depictions Involving Sexual Exploitation of Minors and Coercion and Enticement of MINOR VICTIM 2

18. Law enforcement’s review of Snapchat conversations between ESPINOZA and MINOR VICTIM 2 revealed numerous messages from ESPINOZA to MINOR VICTIM 2 asking her to create CSAM in exchange for money.

19. In a conversation on or about December 28, 2022, ESPINOZA asks:

ESPINOZA	How much for a vid?
MINOR VICTIM 2	Depends on what you want
ESPINOZA	\$2?
MINOR VICTIM 2	That’s for a picture probably do 5 for a video
ESPINOZA	3 minute long video?
MINOR VICTIM 2	3 minutes that would be 10
ESPINOZA	\$5

MINOR VICTIM 2	5 for a 1.5 minute video that's half
ESPINOZA	You fully nude Using a vibe on your clit Showing your whole body
MINOR VICTIM 2	That can be 10 if that's ok just because it's not something I'm used to doing

20. In another conversation on or about December 29, 2022, ESPINOZA asks:

ESPINOZA	Wats on ur mind
MINOR VICTIM 2	Idk I don't really feel like sending the videos of my pussy cause I don't send it or anyone is there other things I can send instead that will equal \$22
ESPINOZA	I see
MINOR VICTIM 2	It's nothing you did I just never have been comfortable with sending it
ESPINOZA	Are u comfortable sending face tho?
MINOR VICTIM 2	Yes
ESPINOZA	I got a few other stuff u can do
MINOR VICTIM 2	Ok like what
ESPINOZA	In one vid can u walk on all fours fully nude
MINOR VICTIM 2	Ok
ESPINOZA	Sounds good?
MINOR VICTIM 2	Yea little weird but on Ok*
ESPINOZA	U do anal or nope
MINOR VICTIM 2	No
ESPINOZA	Can u show that hole tho
MINOR VICTIM 2	Yea
ESPINOZA	Alr so 2nd vid I want u to show off ur body And then spread ur cheeks and like clench ur asshole Yk
MINOR VICTIM 2	Ok

21. The conversation continues:

ESPINOZA	That cool?
MINOR VICTIM 2	Yea
ESPINOZA	Weird or nah?
MINOR VICTIM 2	A little but I want to get paid so I'll do it
ESPINOZA	3rd vid Twerk for a minute fully nude and blow a kiss at the end

22. ESPINOZA also makes the following requests on or about December 29, 2022:

ESPINOZA	Can u crawl nude to the camera and blow a kiss
MINOR VICTIM 2	Yea
ESPINOZA	Can you make another vid where u wink with ur asshole about 30 or 40 times and then blow a kiss? And also like run your finger around ur hole but not go in it Okay Are they savable?
MINOR VICTIM 2	Idk
ESPINOZA	Can u do them again if they arent?
MINOR VICTIM 2	Maybe
ESPINOZA	Damn Cant save them Can u make all the stuff savable plz ???? ? ?? Wait stop sending I cant save them Can u put the thing on the snap timer to infinity?
MINOR VICTIM 2	Ok I'll do something else hold on
ESPINOZA	So i can save them You have a beautiful body

Arrest of ESPINOZA

23. On or about June 27, 2024, ESPINOZA entered the United States at Miami International Airport aboard LATAM Flight #2698 from Lima, Peru.

24. At Customs and Border Protection ("CBP") Primary Inspection, ESPINOZA presented a United States passport for entry into the United States. ESPINOZA was selected for secondary inspection. During secondary inspection, law enforcement inspected ESPINOZA's personal property, including a Motorola Edge (the "Motorola"). Upon inspection, ESPINOZA made an oral binding declaration to the inspecting CBP officer stating he owned Motorola. Furthermore, ESPINOZA provided the CBP officer with the password for the device.

25. In a post-*Miranda* interview with law enforcement, ESPINOZA again confirmed ownership of the Motorola, in addition to confirming that the 0343-Number was his phone number.

26. ESPINOZA admitted that he is the user of the Snapchat account associated with the usernames "hispanic17383" and "lacosita9221." ESPINOZA also admitted he is the account owner of the Cash App account associated with the username "\$bigbag1902."

27. ESPINOZA told law enforcement that he recognized the conversation with MINOR VICTIM 2, and that he used Snapchat to communicate with individuals he believed to be minors in order to obtain CSAM.

CONCLUSION

28. Based on the foregoing facts, I believe that probable cause exists that ESPINOZA violated Title 18, United States Code, Sections 2422(b) (attempted coercion and enticement of a minor) and 2251(a) and (e) (attempted production of visual depictions involving sexual exploitation of minors).

FURTHER AFFIANT SAYETH NAUGHT.



MICHAEL VALLE
SPECIAL AGENT
DEPARTMENT OF HOMELAND SECURITY
HOMELAND SECURITY INVESTIGATIONS

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1
by Face Time this 28th day of June, 2024.



HONORABLE LISETTE M. REID
UNITED STATES MAGISTRATE JUDGE